

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE  
CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN

DEBTOR(S).

§  
§  
§  
§  
§

CASE NO. 01-44770-DRS  
CHAPTER 7

TRUSTEE'S FINAL REPORT, APPLICATION FOR  
COMPENSATION, AND REPORT OF PROPOSED DISTRIBUTION

Mark A. Weisbart, Trustee of the estate of the above-named Debtor(s), certifies to the Court and the United States Trustee, that the Trustee has faithfully and properly fulfilled the duties of the office of the Trustee, that the Trustee has examined all proofs of claim as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of the Court. The Trustee applies for commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed. R. Bankr. Pro. 9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

DATE: 06/28/06



Mark A. Weisbart, Trustee  
Texas Bar No. 21102650TX  
5950 Sherry Lane, Suite 222  
Dallas, TX 75225  
(214) 379-0790; Fax (214) 379-0780  
CHAPTER 7 TRUSTEE

\*\*\*\*\*

REVIEWED BY THE UNITED STATES TRUSTEE

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

UNITED STATES TRUSTEE  
EASTERN DISTRICT OF TEXAS

Date: \_\_\_\_\_

By: \_\_\_\_\_

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

IN RE	§	
CLEMONS, CLAYTON RUSSELL	§	
CLEMONS, DEE ANN	§	CASE NO. 01-44770-DRS
	§	CHAPTER 7
DEBTOR(S).	§	

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND  
APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following Final Report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper, that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.
2. The Trustee submits Form I as a summary of the assets and an estate record. Any property scheduled under 11 U.S.C. §521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. §554(c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of the estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this Final Report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowances or requests for reclassification.

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION  
AND APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE - Page 1**

8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U.S. Trustee, the Trustee be discharged from office and the case be closed.

I declare under penalty of perjury that this report and attached Schedules are true and correct to the best of my knowledge.

DATED: June 28, 2006.

  
\_\_\_\_\_  
MARK A. WEISBART, CHAPTER 7 TRUSTEE

**FORM I**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1

Case No: 01-44770 DRS Judge: Donald R. Sharp  
Case Name: CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN  
For Period Ending: 06/27/06

Trustee Name: Mark A. Weisbart, Trustee  
Date Filed (f) or Converted (c): 11/16/01 (f)  
341(a) Meeting Date: 01/04/02  
Claims Bar Date: 05/21/02

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. Homestead 2213 Deep Valley Dr., McKinney, TX	149,000.00	0.00	DA	0.00	FA
2. Real estate 309 Main St., Denison, TX	80,000.00	0.00	DA	0.00	FA
3. Cash on Hand	150.00	0.00	DA	0.00	FA
4. Cash in Bank Accounts Bank of America, Acct No. 004771127742	200.00	0.00	DA	0.00	FA
5. Cash in Bank Accounts Bank One, Acct No. 1598549945	25.00	0.00	DA	0.00	FA
6. Security Deposits TXU Electric	0.00	0.00	DA	0.00	FA
7. Household Furniture and Goods Books, pictures, CDs, household goods, piano, refrigerator and freezer	4,250.00	0.00	DA	0.00	FA
8. Wearing Apparel	750.00	0.00	DA	0.00	FA
9. Furs and Jewelry 2 watches; 2 wedding rings; 1 woman's ring; 2 classrings and misc. costume jewelry	740.00	0.00	DA	0.00	FA
10. Sporting Equipment 35 mm camera	20.00	0.00	DA	0.00	FA
11. Insurance Policy Cigna Group insurance, term life policy on Dee Ann Clemons, face value \$130,000	0.00	0.00	DA	0.00	FA
12. Insurance Policy Cigna Group Insurance, term life policy on Russell Clemons, face value \$20,000	0.00	0.00	DA	0.00	FA
13. Insurance Policy Cigna Group Life Insurance policy on Dee Ann Clemons, face value	0.00	0.00	DA	0.00	FA

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 2

Case No: 01-44770 DRS Judge: Donald R. Sharp  
Case Name: CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN

Trustee Name: Mark A. Weisbart, Trustee  
Date Filed (f) or Converted (c): 11/16/01 (f)  
341(a) Meeting Date: 01/04/02  
Claims Bar Date: 05/21/02

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
\$60,000					
14. Insurance Policy Cigna Healthcare major medical policy on Dee Ann Clemons	0.00	0.00	DA	0.00	FA
15. Insurance Policy Cigna Healthcare, major medical policy on Russell Clemons	0.00	0.00	DA	0.00	FA
16. Automobiles 1991 Ford Explorer, 108,000 miles	4,500.00	0.00	DA	0.00	FA
17. Automobiles 1999 Buick LeSabre	13,500.00	0.00	DA	0.00	FA
18. Machinery, Fixtures, et al Buffet table, cooking tools and utensils, dining room utensils, freezer-small and large, fryers, gas grill, ice machine, make up unit, smoker, snake drain, soda dispenser, stove, tea brewer, outdoor sign	6,000.00	0.00	DA	0.00	FA
19. Inventory Inventory at Ike's Grill	500.00	0.00	DA	0.00	FA
20. Litigation (u) Potential claim against Mrs. Clemons' father	0.00	5,000.00		5,849.12	FA
21. Post-Petition Interest Deposits (u)	Unknown	N/A		55.24	Unknown

	Gross Value of Remaining Assets		Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$ 259,635.00	\$ 5,000.00	\$ 5,904.36
			\$0.00
			(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Trustee is evaluating potential claim against Mrs. Clemons' father to recover payments made prior to and after the case.

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 3

Case No: 01-44770 DRS Judge: Donald R. Sharp  
Case Name: CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN

Trustee Name: Mark A. Weisbart, Trustee  
Date Filed (f) or Converted (c): 11/16/01 (f)  
341(a) Meeting Date: 01/04/02  
Claims Bar Date: 05/21/02

3/31/04: Still collecting funds.

3/31/05: Last funds collected in Feb. 2005; fee application to be filed then case closed.

Initial Projected Date of Final Report (TFR): 03/31/04      Current Projected Date of Final Report (TFR): 07/31/06

## FORM 2

Page 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 01-44770 -IDRS  
Case Name: CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN  
Taxpayer ID No: \*\*\*\*\*3670  
For Period Ending: 06/27/06

Trustee Name: Mark A. Weisbart, Trustee  
Bank Name: Bank of America  
Account Number / CD #: \*\*\*\*\*3168 GENERAL SAVINGS

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
10/31/03	21	1205 W. Bond Denison, TX 75020 Bank of America	Interest Rate 0.200	1270-000	0.32		2,001.93
11/06/03	20	Russell Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1249-000	250.00		2,251.93
11/28/03	21	Bank of America	Interest Rate 0.200	1270-000	0.35		2,252.28
12/12/03	20	Russell Clemons	Litigation Claim; Settlement	1149-000	250.00		2,502.28
12/31/03	21	Bank of America	Interest Rate 0.100	1270-000	0.21		2,502.49
01/05/04	20	Russell Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1149-000	250.00		2,752.49
01/30/04	21	Bank of America	Interest Rate 0.100	1270-000	0.22		2,752.71
02/09/04	20	Russell Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1129-000	250.00		3,002.71
02/27/04	21	Bank of America	Interest Rate 0.100	1270-000	0.23		3,002.94
03/05/04	20	Russell Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1149-000	250.00		3,252.94
03/31/04	21	Bank of America	Interest Rate 0.100	1270-000	0.28		3,253.22
04/13/04	20	Russell Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1149-000	250.00		3,503.22
04/30/04	21	Bank of America	Interest Rate 0.100	1270-000	0.27		3,503.49
05/07/04	20	Russell Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1149-000	250.00		3,753.49
05/28/04	21	Bank of America	Interest Rate 0.100	1270-000	0.31		3,753.80
06/09/04	20	Russell Clemons	Non Exempt Personal Property	1149-000	250.00		4,003.80

Page Subtotals

2,002.19

0.00

## FORM 2

Page: 3

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 01-44770 -DRS  
Case Name: CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN  
Taxpayer ID No: \*\*\*\*\*3670  
For Period Ending: 06/27/06

Trustee Name: Mark A. Weisbart, Trustee  
Bank Name: Bank of America  
Account Number / CD #: \*\*\*\*\*3168 GENERAL SAVINGS

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
06/30/04	21	1205 W. Bond Denison, TX 75020 Bank of America	Interest Rate 0.100	1270-000	0.32		4,004.12
07/15/04	20	Russell Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1249-000	250.00		4,254.12
07/30/04	21	Bank of America	Interest Rate 0.100	1270-000	0.35		4,254.47
08/06/04	20	Russell Clemons	Litigation Claim; Settlement	1149-000	250.00		4,504.47
08/31/04	21	Bank of America	Interest Rate 0.100	1270-000	0.38		4,504.85
09/03/04	20	Russell Clemons	Litigation Claim; Settlement	1149-000	250.00		4,754.85
09/30/04	21	Bank of America	Interest Rate 0.100	1270-000	0.38		4,755.23
10/14/04	20	Russell Clemons	Litigation Claim; Settlement	1149-000	250.00		5,005.23
10/29/04	21	Bank of America	Interest Rate 0.100	1270-000	0.40		5,005.63
11/19/04	20	Russell Clemons	Litigation Claim; Settlement	1249-000	250.00		5,255.63
11/29/04	20	Russell Clemons	Cash	1129-000	250.00		5,505.63
11/30/04	21	Bank of America	Interest Rate 0.100	1270-000	0.42		5,506.05
12/31/04	21	Bank of America	Interest Rate 0.100	1270-000	0.47		5,506.52
01/12/05	20	Russell Clemons	Non Exempt Personal Property	1129-000	250.00		5,756.52
01/31/05	21	Bank of America	Interest Rate 0.100	1270-000	0.48		5,757.00
02/07/05	20	Russell Clemons	Non Exempt Personal Property	1129-000	99.12		5,856.12
02/28/05	21	Bank of America	Interest Rate 0.250	1270-000	1.12		5,857.24
03/31/05	21	Bank of America	Interest Rate 0.250	1270-000	1.24		5,858.48
04/29/05	21	Bank of America	Interest Rate 0.250	1270-000	1.20		5,859.68
05/31/05	21	Bank of America	Interest Rate 0.250	1270-000	1.24		5,860.92
06/30/05	21	Bank of America	Interest Rate 0.250	1270-000	1.20		5,862.12
07/29/05	21	Bank of America	Interest Rate 0.250	1270-000	1.24		5,863.36
08/31/05	21	Bank of America	Interest Rate 0.600	1270-000	2.99		5,866.35
09/30/05	21	Bank of America	Interest Rate 0.600	1270-000	2.89		5,869.24
10/31/05	21	Bank of America	Interest Rate 0.600	1270-000	2.99		5,872.23

Page Subtotals

1,868.43

0.00



## FORM 2

Page 1

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 01-44770 -DRS  
Case Name: CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN  
Taxpayer ID No: \*\*\*\*\*3670  
For Period Ending: 06/27/06

Trustee Name: Mark A. Weisbart, Trustee  
Bank Name: Bank of America  
Account Number / CD #: \*\*\*\*\*3168 GENERAL SAVINGS

Blanket Bond (per case limit): \$ 300,000.00

Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
03/01/03	20	C. Russell Clemons 1205 W. Bond Denison, TX 75020-1801	Non Exempt Personal Property	1149-000	250.00		250.00
03/31/03	21	Bank of America	INTEREST REC'D FROM BANK	1270-000	0.09		250.09
04/08/03	20	C. Russell Clemons 1205 W. Bond Denison, TX 75020-1801	Litigation Claim; Settlement	1249-000	250.00		500.09
04/30/03	21	Bank of America	Interest Rate 0.500	1270-000	0.16		500.25
05/05/03	20	Clayton Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1249-000	250.00		750.25
05/30/03	21	Bank of America	Interest Rate 0.500	1270-000	0.29		750.54
06/12/03	20	Clayton Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1149-000	250.00		1,000.54
06/30/03	21	Bank of America	Interest Rate 0.500	1270-000	0.36		1,000.90
07/07/03	20	Clayton Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1149-000	250.00		1,250.90
07/31/03	21	Bank of America	Interest Rate 0.200	1270-000	0.20		1,251.10
08/11/03	20	Russell Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1249-000	250.00		1,501.10
08/29/03	21	Bank of America	Interest Rate 0.200	1270-000	0.23		1,501.33
09/04/03	20	Russell Clemons 1205 W. Bond Denison, TX 75020	Litigation Claim; Settlement	1149-000	250.00		1,751.33
09/30/03	21	Bank of America	Interest Rate 0.200	1270-000	0.28		1,751.61
10/08/03	20	Russell Clemons	Litigation Claim; Settlement	1149-000	250.00		2,001.61

Page Subtotals

2,001.61

0.00

## FORM 2

Page: 4

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 01-44770 -IRS  
Case Name: CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN  
Taxpayer ID No: \*\*\*\*\*3670  
For Period Ending: 06/27/06

Trustee Name: Mark A. Weisbart, Trustee  
Bank Name: Bank of America  
Account Number / CD #: \*\*\*\*\*3168 GENERAL SAVINGS

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
11/30/05	21	Bank of America	Interest Rate 0.600	1270-000	2.90		5,875.13
12/30/05	21	Bank of America	Interest Rate 0.600	1270-000	2.99		5,878.12
01/31/06	21	Bank of America	Interest Rate 0.600	1270-000	3.00		5,881.12
02/28/06	21	Bank of America	Interest Rate 1.000	1270-000	4.19		5,885.31
03/31/06	21	Bank of America	Interest Rate 1.000	1270-000	5.00		5,890.31
04/28/06	21	Bank of America	Interest Rate 1.000	1270-000	4.84		5,895.15
05/31/06	21	Bank of America	Interest Rate 1.000	1270-000	5.01		5,900.16
06/27/06	21	Bank of America	INTEREST REC'D FROM BANK	1270-000	4.20		5,904.36
06/27/06		Transfer to Acct #*****9258	Final Posting Transfer	9999-000		5,904.36	0.00

COLUMN TOTALS	5,904.36	5,904.36	0.00
Less: Bank Transfers/CD's	0.00	5,904.36	
Subtotal	5,904.36	0.00	
Less: Payments to Debtors		0.00	
Net	5,904.36	0.00	

Page Subtotals

32.13

5,904.36

FORM 2

Page: 5

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 01-44770 -DRS  
Case Name: CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN  
Taxpayer ID No: \*\*\*\*\*3670  
For Period Ending: 06/27/06

Trustee Name: Mark A. Weisbart, Trustee  
Bank Name: Bank of America  
Account Number / CD #: \*\*\*\*\*9258 GENERAL CHECKING

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
06/27/06		Transfer from Acct #*****3168	BALANCE FORWARD Transfer In From MMA Account	9999-000	5,904.36		0.00 5,904.36

COLUMN TOTALS	5,904.36	0.00	5,904.36
Less: Bank Transfers/CD's	5,904.36	0.00	
Subtotal	0.00	0.00	
Less: Payments to Debtors		0.00	
Net	0.00	0.00	

		NET	ACCOUNT
TOTAL - ALL ACCOUNTS	NET DEPOSITS	DISBURSEMENTS	BALANCE
GENERAL SAVINGS - *****3168	5,904.36	0.00	0.00
GENERAL CHECKING - *****9258	0.00	0.00	5,904.36
	<u>5,904.36</u>	<u>0.00</u>	<u>5,904.36</u>
	(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 5,904.36 0.00

**SCHEDULE B**

**APPLICATION FOR COMPENSATION**

**COMPUTATION OF COMMISSIONS (cases filed after 10/94)**

Total Receipts			<u>\$5,904.36</u>
	<u>\$5,904.36</u>	25% of First \$5,000	<u>\$1,250.00</u>
Less	-5,000.00	(\$1,250 Maximum)	
Balance	<u>\$904.36</u>	10% of Next \$45,000	<u>\$90.44</u>
Less	-45,000.00	(\$4,500 Maximum)	
Balance	<u>\$0.00</u>	5% of Next \$950,000	<u>\$0.00</u>
Less	-950,000.00	(\$47,500 Maximum)	
Balance	<u>0.00</u>	3% of Balance	<u>\$0.00</u>
TOTAL COMMISSION			<u>\$1,340.44</u>

**UNREIMBURSED EXPENSES**

Photocopy/Duplication Expense	<u>\$20.00</u>
Legal Assistant	<u>\$645.00</u>
Postage	<u>\$20.44</u>
TOTAL UNREIMBURSED EXPENSES	<u>\$685.44</u>

---

Records:

Trustee did not take possession of business or personal records of the debtor.

Notice of intent to abandon books and records of debtor filed on

  

---

  

---

# Compensation and Expenses Worksheet

Case Number: 01-44770 DRS

Debtor: CLEMONS, CLAYTON RUSSELL

Joint Debtor: CLEMONS, DEE ANN

## 1. COMPUTATION OF COMPENSATION

Total disbursements to other than the debtor are:

Pursuant to 11 U.S.C. § 326, compensation is computed as follows:			\$5,904.36
	\$5,904.36	25% of First \$5,000	\$1,250.00
Less -	\$5,000.00	(\$1,250 Maximum)	
Balance	\$904.36	10% of Next \$45,000	\$90.44
Less -	\$904.36	(\$4,500 Maximum)	
Balance	\$0.00	5% of Next \$950,000	\$0.00
Less -	\$0.00	(\$47,500 Maximum)	
Balance	\$0.00	3% of Balance	\$0.00
TOTAL COMPENSATION CALCULATED:			\$1,340.44
Less Previously Paid Compensation:			\$0.00
TOTAL COMPENSATION REQUESTED:			\$1,340.44

## 2. TRUSTEE EXPENSES

The Trustee has incurred the following expenses:

01/04/02	LA: Legal Assistant 0.5 @ 65.0000 Open file; input properties.	\$32.50
03/01/03	LA: Legal Assistant 0.3 @ 22.0000 Open savings account; prepare deposit.	\$6.60
03/31/03	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
04/08/03	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
05/05/03	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
06/12/03	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
06/30/03	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
07/07/03	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
08/11/03	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50

## Compensation and Expenses Worksheet

Case Number: 01-44770 DRS

Debtor: CLEMONS, CLAYTON RUSSELL

Joint Debtor: CLEMONS, DEE ANN

09/04/03	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
09/30/03	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
10/08/03	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
11/06/03	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
12/12/03	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
12/31/03	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
01/05/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
02/09/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
03/05/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
03/31/04	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
04/13/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
05/07/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
06/09/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
06/30/04	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
07/15/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
08/06/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
09/03/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
09/30/04	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
10/14/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
11/19/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50

## Compensation and Expenses Worksheet

Case Number: 01-44770 DRS

Debtor: CLEMONS, CLAYTON RUSSELL

Joint Debtor: CLEMONS, DEE ANN

11/29/04	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
12/31/04	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
01/12/05	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
02/07/05	LA: Legal Assistant 0.3 @ 65.0000 Prepare deposit.	\$19.50
03/31/05	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
06/30/05	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
09/30/05	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
12/30/05	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
03/31/06	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60
05/30/06	POST: Postage 1 charge @ 10.4400 / charge Mail out.	\$10.44
06/27/06	COPY: Photocopy/Duplication Expense 1 page @ 20.0000 / page	\$20.00
06/27/06	LA: Legal Assistant 1 @ 65.0000 Transfer funds; prepare final report; supplemental final report.	\$65.00
06/27/06	POST: Postage 1 charge @ 10.0000 / charge	\$10.00
06/29/06	LA: Legal Assistant 0.3 @ 22.0000 Reconcile bank statement.	\$6.60

### Expense Summary

COPY: Photocopy/Duplication Expense 1 page @ 20.00 / page	\$20.00
LA: Legal Assistant 4.5 @ 22.00	\$99.00
LA: Legal Assistant 8.4 @ 65.00	\$546.00
POST: Postage 1 charge @ 10.00 / charge	\$10.00
POST: Postage 1 charge @ 10.44 / charge	\$10.44

TOTAL EXPENSES CALCULATED:	\$685.44
Less Previously Paid Expenses:	\$0.00

TOTAL EXPENSES REQUESTED:	\$685.44
---------------------------	----------

## Compensation and Expenses Worksheet

Case Number: 01-44770 DRS

Debtor: CLEMONS, CLAYTON RUSSELL

Joint Debtor: CLEMONS, DEE ANN

TOTAL EXPENSES AND COMPENSATION REQUESTED:

\$2,025.88

DATED: 06/29/06

SIGNED



TRUSTEE: Mark A. Weisbart, Trustee  
5950 Sherry Lane, Suite 222  
Dallas, TX 75225



**TRUSTEE LOG**

<b>DATE</b>	<b>DESCRIPTION</b>	<b>HOURS</b>
01/04/02	Trustee Meeting	.20
1/23/02	Review Stay Order	.20
02/18/02	Letter on Bar Date request	.20
04/01/02	Review Stay Motion	.20
	<b>TOTAL</b>	.80

**SCHEDULE C**

**EXPENSES OF ADMINISTRATION**

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
	\$	\$	\$	\$
1. 11 U.S.C. Sec.507(a)(1) <u>Court Costs and Fees</u>	0.00	0.00	0.00	0.00
2. 11 U.S.C. Sec.503(b)(1)(A) <u>Preservation of estate</u>	0.00	0.00	0.00	0.00
A. Transportation	0.00	0.00	0.00	0.00
B. Storage	0.00	0.00	0.00	0.00
C. Wages	0.00	0.00	0.00	0.00
D. Estate Share FICA	0.00	0.00	0.00	0.00
E. Insurance	0.00	0.00	0.00	0.00
F. Upkeep	0.00	0.00	0.00	0.00
G. Others (itemize)	0.00	0.00	0.00	0.00
3. 11 U.S.C. Sec. 503(b)(2) <u>Post-Petition taxes and related penalties</u>	0.00	0.00	0.00	0.00
4. 11 U.S.C. Sec. 503(b)(2) <u>Compensation and Reimbursement</u>				
A.Compensation of Trustee	1,340.44	1,340.44	0.00	1,340.44
B.Expenses of Trustee	685.44	685.44	0.00	685.44
C.Compensation of Attorney to Trustee	1,745.16	1,745.16	0.00	1,745.16
5. Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
6. U.S. Trustee fees	0.00	0.00	0.00	0.00
7. Other (list)	0.00	0.00	0.00	0.00
TOTALS:	<u>\$3,771.04</u>	<u>\$3,771.04</u>	<u>\$0.00</u>	<u>\$3,771.04</u>

**SCHEDULE C-2**

Expenses incurred in connection with the sale of real property \$0.00

---

Title Insurance Policy \$0.00

Escrow Fee \$0.00

Realtor's Fee \$0.00

Filing Fee \$0.00 \$0.00

**SCHEDULE D**

**SECURED CLAIMS**

Claim No.	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Due
_____	_____	_____	_____	_____	_____

---

**IDENTIFICATION OF SECURED PARTIED AFFECTED:**

Claim No.	Name of Creditor	Claim No.	Name of Creditor
_____	_____	_____	_____

**SCHEDULE E**

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE  
FOLLOWING ORDER OF PRIORITY

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
	\$	\$	\$	\$
1. For Credit extended Sec. 364(a)(1)	0.00	0.00	0.00	0.00
2. Claims from failure of "adequate protection" Sec. 307(a)(b)	0.00	0.00	0.00	0.00
3. "Gap Claims" Sec. 507(a)(2)	0.00	0.00	0.00	0.00
4. Wages, etc. Sec. 507(a)(3)	0.00	0.00	0.00	0.00
5. Contributions to benefit plans Sec. 507(a)(4)	0.00	0.00	0.00	0.00
6. Consumer deposits Sec. 507(a)(6)	0.00	0.00	0.00	0.00
7. Alimony/Child Support Sec. 507(a)(7)	0.00	0.00	0.00	0.00
8. Taxes Sec. 507(a)(8)	0.00	0.00	0.00	0.00
9. Other: No Basis				
TOTALS:	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>

---

**PRIORITY PARTIES AFFECTED:**

Claim No.	Name of Creditor	Claim No.	Name of Creditor
_____	_____	_____	_____

---

FILED UNSECURED CLAIMS TOTAL: \$57,165.48

SUBORDINATE UNSECURED CLAIM: \$

# ANALYSIS OF CLAIMS REGISTER

CASE NO: 01-44770-DRS

CASE NAME: CLEMONS, CLAYTON RUSSELL

CLAIMS BAR DATE: 05/21/02

CLAIMS REVIEWED BY: Mark A. Weisbart, Trustee

Code #	Creditor Name & Address	Claim Class	Notes	Scheduled	Claimed	Allowed
	Mark A. Weisbart, Trustee 5950 Sherry Lane, Suite 222 Dallas, TX 75225	Administrative		0.00	1,340.44	1,340.44
	Mark A. Weisbart, Trustee 5950 Sherry Lane, Suite 222 Dallas, TX 75225	Administrative		0.00	685.44	685.44
221 222	Mark A. Weisbart Kessler Collins, P.C. 5950 Sherry Lane, Suite 222 Dallas, Texas 75225	Administrative		0.00	1,745.16	1,745.16
Subtotal for Class Administrative						
000001 400 400	Oklahoma Student Loan Servicing P.O. Box 18145 Oklahoma City, OK 75154	Unsecured		0.00	3,771.04	3,771.04
000002 400 400	Park Central Baptist Church 7777 LBJ Freeway Dallas, TX 75251	Unsecured		0.00	11,789.85	11,789.85
000004 400 400	Chase Manhattan Bank 150 West University Drive Tempe, AZ 85281	Unsecured		0.00	16,220.80	16,220.80
000005 400 400	Citibank PO Box 17460 Denver, Colorado	Unsecured	Disallowed per Order dated 1/13/04	0.00	10,126.05	10,126.05
				0.00	4,083.03	0.00

Code #	Creditor Name & Address	Claim Class	Notes	Scheduled	Claimed	Allowed
000006 400 400	American Express Centurion Bank c/o Becket and Lee P.O. Box 3001 Malvern, PA 19355-0701	Unsecured		0.00	11,075.80	11,075.80
000007 400 400	Kohl's Department Store P.O.Box 740933 Dallas, TX 75374	Unsecured		0.00	486.37	486.37
000008 400 400	David C. Berghol 7721 Chattington Dr. Dallas TX 75248	Unsecured	Disallowed per order dated 01/13/04	0.00	0.00	0.00
000009 400 400	Universal Bank N.A. P.O. Box 6305 The Lakes, NV 88901-6305	Unsecured		0.00	3,465.81	3,465.81
000010 400 400	Citibank P.O. Box 64749 ST. Paul, MN 55164	Unsecured		0.00	4,000.80	4,000.80
Subtotal for Class Unsecured				0.00	61,248.51	57,165.48
Case Totals:				0.00	65,019.55	60,936.52

Code #: Trustee's Claim Number, Priority Code, Claim Type

## Eastern District of Texas Claims Register

Scan in the  
claims  
card

01-44770 Clayton Russell Clemons and Dee Ann Clemons

Honorable Brenda T. Rhoades

Debtor Name: CLEMONS,CLAYTON RUSSELL

Claim No: 1	Creditor Name: Oklahoma Student Loan Servicing P.O. Box 18145 Oklahoma City, OK 75154	Last Date to File Claims: Last Date to File (Govt): Filing Status: Allow Docket Status: Late:
Claim Date: 03/04/2002	Amends Claim No: 0 Amended By Claim No:	Duplicates Claim No: 0 Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$11789.85	
Secured	\$0.00	
Priority	\$0.00	OK - general
Unknown	\$0.00	Unsecured
Admin	\$0.00	
<b>Total</b>	<b>\$11789.85</b>	
Description:		
Remarks: Converted from BANCAP.		

Claim No: 2	Creditor Name: Park Central Baptist Church 7777 LBJ Freeway Dallas, TX 75251	Last Date to File Claims: Last Date to File (Govt): Filing Status: Allow Docket Status: Late:
Claim Date: 03/06/2002	Amends Claim No: 0 Amended By Claim No:	Duplicates Claim No: 0 Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$16220.80	
Secured	\$0.00	OK
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$16220.80</b>	
Description:		
Remarks: Converted from BANCAP.		

Claim No: 4	Creditor Name: Chase Manhattan Bank 150 West University Drive Tempe, AZ 85281	Last Date to File Claims: Last Date to File (Govt): Filing Status: Allow Docket Status:
-------------	---	--



		Late:
Claim Date: 03/08/2002	Amends Claim No: 0 Amended By Claim No:	Duplicates Claim No: 0 Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$10126.05	
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	OK
Admin	\$0.00	
<b>Total</b>	<b>\$10126.05</b>	
Description:		
Remarks: Converted from BANCAP		

Claim No: 5	Creditor Name: Citibank PO Box 17460 Denver, Colorado	Last Date to File Claims: Last Date to File (Govt): Filing Status: Docket Status: Late: N
Claim Date: 03/11/2002	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$4083.03	objection
<b>Total</b>	<b>\$4083.03</b>	claim dismissed
Description:		
Remarks: 11/15/01		

Claim No: 6	Creditor Name: American Express Centurion Bank c/o Becket and Lee P.O. Box 3001 Malvern, PA 19355-0701	Last Date to File Claims: Last Date to File (Govt): Filing Status: Docket Status: Late: N
Claim Date: 03/11/2002	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unknown	\$11075.80	objection withdrawn
<b>Total</b>	<b>\$11075.80</b>	ok
Description:		
Remarks:		

Claim No: 7	Creditor Name: Kohl's Department Store P.O. Box 740933 Dallas, TX 75374	Last Date to File Claims: Last Date to File (Govt): Filing Status: Docket Status:
-------------	---	--

		Late: N
Claim Date: 04/01/2002	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
Class	Amount Claimed	Amount Allowed
Unsecured	\$486.37	
Total	\$486.37	OK
Description:		
Remarks:		

Claim No: 8	Creditor Name: David e. Berghol 7721 Chatterington Dr. Dallas TX 75248	Last Date to File Claims: Last Date to File (Govt): Filing Status: Docket Status: Late: N
Claim Date: 05/14/2002	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
Class	Amount Claimed	Amount Allowed
Total		Debtors allowed
Description:		
Remarks:		

Claim No: 9	Creditor Name: Universal Bank N.A. P.O. Box 6305 The Lakes, NV 88901-6305	Last Date to File Claims: Last Date to File (Govt): Filing Status: Docket Status: Late: N
Claim Date: 05/20/2002	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
Class	Amount Claimed	Amount Allowed
Unsecured	\$3465.81	
Total	\$3465.81	OK
Description:		
Remarks:		

Claim No: 10	Creditor Name: Citibank P.O. Box 64749 ST. Paul, MN 55164	Last Date to File Claims: Last Date to File (Govt): Filing Status: Docket Status: Late: N
Claim Date: 05/20/2002	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
Class	Amount Claimed	Amount Allowed
Unsecured	\$4000.80	OK
Description:		
Remarks:		

<b>Total</b>	<b>\$4000.80</b>
<i>Description:</i>	
<i>Remarks:</i>	

### Claims Register Summary

Case Name: Clayton Russell Clemons and Dee Ann Clemons

Case Number: 2001-44770

Chapter: 7

Date Filed: 11/16/2001

Total Number Of Claims: 9

	<b>Total Amount Claimed</b>	<b>Total Amount Allowed</b>
<b>Unsecured</b>	\$50172.71	
<b>Secured</b>	\$0.00	
<b>Priority</b>	\$0.00	
<b>Unknown</b>	\$11075.80	
<b>Administrative</b>	\$0.00	
<b>Total</b>	<b>\$61248.51</b>	

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
05/25/2006 16:15:25			
<b>PACER Login:</b>	we0115	<b>Client Code:</b>	
<b>Description:</b>	Claims Register	<b>Search Criteria:</b>	01-44770 Filed or Entered From: 5/25/2000 Filed or Entered To: 5/25/2006
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.08

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE  
CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN

DEBTOR(S).

§  
§  
§  
§  
§

CASE NO. 01-44770-DRS  
CHAPTER 7

**TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS**

The undersigned Trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered Orders which have become final, and which dispose of all Objections to Claims, all objections to the Trustee's Final Report, all Applications for Compensation, and all other matters which must be determined by the Court before final distribution can be made.
2. The Trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection thereto is made, filed and served on the Trustee and on the United States Trustee.

1.	BALANCE ON HAND		\$5,904.36
2.	ADMINISTRATIVE EXPENSES TO BE PAID *(NOTE)	\$3,771.04	
3.	SECURED CLAIMS TO BE PAID *(NOTE)	\$0.00	
4.	PRIORITY CLAIMS TO BE PAID *(NOTE)	\$0.00	
5.	UNSECURED CLAIMS TO BE PAID *(NOTE)	\$2,133.32	
6.	OTHER DISTRIBUTIONS TO BE PAID *(NOTE)	\$0.00	
7.	TOTAL DISTRIBUTIONS TO BE MADE (SUM OF LINES 2 THROUGH 6)		\$5,904.36
8.	ZERO BALANCE AFTER ALL DISTRIBUTIONS (LINE 1 LESS LINE 7)		\$0.00

\*(SEE ATTACHED SCHEDULE OF PAYEES AND  
AMOUNTS)

Date: \_\_\_\_\_

\_\_\_\_\_  
Mark A. Weisbart  
Chapter 7 Trustee

# PROPOSED DISTRIBUTION

Case Number: 01-44770 DRS

Page 1

Date: August 17, 2006

Debtor Name: CLEMONS, CLAYTON RUSSELL \ CLEMONS, DEE ANN

Claim #	Payee Name	Class	Priority	Amount	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
Beginning Balance								\$5,904.36
	Mark A. Weisbart	Admin	221	\$1,745.16	\$0.00	\$1,745.16	\$1,745.16	\$4,159.20
Subtotals For Class Administrative 100.00000 %				\$1,745.16	\$0.00	\$1,745.16	\$1,745.16	
000001	Oklahoma Student Loan Servicing	Unsec	400	\$11,789.85	\$0.00	\$11,789.85	\$857.80	\$3,301.40
000002	Park Central Baptist Church	Unsec	400	\$16,220.80	\$0.00	\$16,220.80	\$1,180.18	\$2,121.22
000004	Chase Manhattan Bank	Unsec	400	\$10,126.05	\$0.00	\$10,126.05	\$736.74	\$1,384.48
000005	Citibank	Unsec	400	\$0.00	\$0.00	\$0.00	\$0.00	\$1,384.48
000006	American Express Centurion Bank	Unsec	400	\$11,075.80	\$0.00	\$11,075.80	\$805.84	\$578.64
000007	Kohl's Department Store	Unsec	400	\$486.37	\$0.00	\$486.37	\$35.39	\$543.25
000008	David C. Bergthol	Unsec	400	\$0.00	\$0.00	\$0.00	\$0.00	\$543.25
000009	Universal Bank N.A.	Unsec	400	\$3,465.81	\$0.00	\$3,465.81	\$252.16	\$291.09
000010	Citibank	Unsec	400	\$4,000.80	\$0.00	\$4,000.80	\$291.09	\$0.00
Subtotals For Class Unsecured 7.27572 %				\$57,165.48	\$0.00	\$57,165.48	\$4,159.20	
<< Totals >>				\$58,910.64	\$0.00	\$58,910.64	\$5,904.36	\$0.00

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE  
CLEMONS, CLAYTON RUSSELL  
CLEMONS, DEE ANN

DEBTOR(S).

§  
§  
§  
§  
§

CASE NO. 01-44770-DRS  
CHAPTER 7

ORDER APPROVING TRUSTEE'S FINAL REPORT  
AND ALLOWING COMPENSATION

The Trustee has filed a Final Report along with Applications for Compensation and a Report of Proposed Distribution. Notice of the filing of such Final Report and Applications were given to the creditors in this proceeding and any objections, if filed, have been resolved. After having reviewed said Final Report and Applications, it hereby ordered that the Final Report is approved and trustee is authorized to make disbursements with his Report of Proposed Distribution and as described below:

1. Mark A. Weisbart, Trustee, is allowed compensation of \$1,340.44, of which \$0.00 has previously been paid.
2. Mark A. Weisbart, Trustee, is allowed reimbursement of \$685.44, of which \$0.00 has previously been paid.
3. Mark A. Weisbart, Trustee, is allowed reimbursement of \$1,745.16, of which \$0.00 has previously been paid.

Date: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE BRENDA T. RHOADES  
UNITED STATES BANKRUPTCY JUDGE